

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Application of: | Lester Ludwig, et al | Confirmation No.: | 8319 |
| Serial No.: | 10/722,051 | Art Unit: | 2153 |
| Filed: | November 26, 2003 | Examiner: | Strange, Aaron |
| For: | <i>System for Real-Time Communication Between Plural Users</i> | Attorney Docket No.: | 063330-5008-US |

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petitioner, **Avistar Communications Corporation** is the assignee of the entire 100% right, title and interest in and to the above identified application by virtue of an assignment electronically filed on October 2, 2007, and recorded on Reel No. 019910 and Frame No. 0032.

Petitioner hereby disclaims the terminal part of any patent granted on this application that would extend beyond the latest of the expiration dates of claim 10 of commonly owned U.S. Patent No. 7,185,054, of claim 33 of U.S. Patent No. 6,237,025, and of claim 22 of U.S. Patent No. 5,758,079 and hereby agrees that any patent so granted on this application shall be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to claim 10 of U.S. Patent No. 7,185,054, to claim 33 of U.S. Patent No. 6,237,025, and to claim 22 of U.S. Patent No. 5,758,079.

Petitioner further agrees that this agreement is to run with any patent granted on this application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on this application prior to the expiration date of the full statutory term of the latest to expire of U.S. Patent No. 7,185,054, U.S. Patent No. 6,237,025, and U.S. Patent No. 5,758,079, in the event that the patent

later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or otherwise terminated prior to the expiration of its full statutory terms, except for the separation of legal title stated above.

Petitioner hereby confirms that, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Avistar Communications Corporation.**

The undersigned is empowered to act on behalf of and as a representative of **Avistar Communications Corporation.** The undersigned is the attorney of record representing the assignee of the applicant and has no other interest or business interest in the assignee, **Avistar Communications Corporation.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: April 10, 2008

By: 

Craig P. Opperman
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